STATE OF MINNESOTA
PUBLIC UTILITIES COMMISSION

In the Matter of a Large Wind Energy Conversion System Site Permit Application by Community Wind North, LLC, for the 30 MW Community Wind North, LLC Project in Lincoln County	**PROPOSED FINDINGS OF FACT, CONCLUSIONS AND ORDER** **PUC DOCKET NO. IP-6712/WS-08-1494**

The above-entitled matter came before the Minnesota Public Utilities Commission (PUC), pursuant to an application by Community Wind North, LLC, for a site permit to construct, operate, maintain and manage the Community Wind North, LLC Project, a 30-Megawatt (MW) nameplate capacity Large Wind Energy Conversion System (LWECS) and associated facilities located in a portion of Verdi Township in Lincoln County. The Site permit is to be issued to Community Wind North, LLC.

All of the proposed wind turbines, foundations, transformers, feeder lines, collection lines will be located in Lincoln County in Minnesota. Associated facilities will include pad mounted step-up transformers for each wind turbine, access roads, a 34.5 kV electrical collection and feeder system, and a permanent meteorological tower. The Project will connect to the Yankee Substation located just north of the Community Wind North, LLC Project.

STATEMENT OF ISSUE

Should Community Wind North, LLC, be granted a site permit under Minnesota Statutes Chapter 216F.04 to construct a 30-megawatt Large Wind Energy Conversion System in Lincoln County?

Based upon the record and proceedings created in this proceeding, the Public Utilities Commission makes the following:

FINDINGS OF FACT

Background and Procedure

1. On January 20, 2009, Community Wind North, LLC (CWN) filed a complete site permit application for the Community Wind North, LLC Project with the PUC for 30.0 megawatts of nameplate wind power generating capacity. (**Exhibit 1, Parts 1, 2, and 3**).

2. Office of Energy Security (OES) Energy Facility Permitting (EFP) staff determined that the January 20, 2009, application complied with the application requirements of Minnesota Rules 7836.0500. In a briefing paper to the PUC, dated February 4, 2009, OES EFP staff recommended that the PUC accept the application **(Exhibit 2)**.

3. On February 17, 2009, a PUC order accepted CWN's application for the Community Wind North, LLC Project and associated facilities. The Order also issued a draft site permit for review and comment **(Exhibit 3)**.

4. OES EFP staff prepared a notice of application acceptance and public information meeting to receive comments on the site permit application and the draft site permit. The published notice provided: a) location and date of the public information meeting; b) description of the proposed Project; c) deadline for public comments on the application and draft site permit; d) description of the PUC site permit review process, including procedure to request a contested case hearing; and e) identification of the public advisor. The notice published meets the requirements of Minnesota Rules 7836.0900 **(Exhibit 7).**

5. CWN published notice of the OES EFP staff notice of the PUC's acceptance of the LWECS site permit application, public information meeting and availability of draft site permit for public comment in the *Lake Benton News* on March 4, 2009 **(Exhibit 4)**. EFP staff published the same notice in the *EQB Monitor* on March 9, 2009, Volume 33, No. 5. **(Exhibit 5)**. The published notice contained all of the information required by Minnesota Rules 7836.0900 subp. 1. The same notice also appeared on the PUC web site and the OES EFP web page.

6. On March 5, 2009, CWN mailed notice of the PUC's acceptance of the LWECS application and provided copies of the application and draft site permit to all affected landowners as required by Minnesota Rules 7836.0500 **(Exhibit 6)**.

7. The DOC EFP staff held a public information meeting on March 16, 2009, in Lake Benton, Minnesota, to receive comments on the site permit application and draft site permit. Approximately 15 people attended at the meeting. Representatives from CWN were also present at the meeting. OES EFP staff provided an overview of the permitting process and draft site permit and responded to questions about the permitting process. The Applicant provided an overview of the Project and responded to questions about the Project. No significant issues were raised or identified by the persons attending the meeting. Four comments were received by the close of the public comment period on April 8, 2009.

8. No requests for a Contested Case Hearing on the proposed Project were submitted to the PUC.

The Permittee

9. CWN, a limited-liability corporation based in Minnesota, will own the Project, up to the grid interconnection.

10. The Project is a Community Based Energy (CBED) project under the Minn. Stat. 216B.1612. Project ownership will be structured so that no individual owns more than 15 percent of the Project. Neither CWN nor its principals own or have a financial interest in any other LWECS in Minnesota. CWN will sell the entire output of the Project to Xcel Energy.

Project Description

11. The proposed Project will use between 12 to 15 wind turbines, ranging in size from 2.0 to 2.5 MW, and have a combined nominal nameplate capacity of no more than 30.0 MW. The turbines will have a hub height of approximately 262 feet (80M). The rotor consists of three blades mounted to a rotor hub. The turbine blades are approximately 145 to 150 feet long, resulting in a rotor diameter of approximately 300 feet. The hub is attached to the nacelle, which houses the gearbox, generator, brake, cooling system, and other electrical and mechanical systems. The rotor swept area is approximately 1.5 acres. The maximum overall height of the wind turbines, with a turbine blade fully extended is approximately 412 feet above grade. The rotor speed will vary between 15.6 and 18.5 revolutions per minute corresponding to a maximum rotor tip speed of approximately 150 to 190 miles per hour.

12. Other components of the Project include a concrete and steel foundation for each tower, pad-mounted step-up transformer for each turbine, all-weather class 5 gravel roads, an underground electric energy collection system, a project substation, and one existing permanent meteorological tower.

13. Each turbine is interconnected primarily through an underground electrical collection system at 34.5 kV. The collector lines will feed the power to Xcel's Yankee substation located in section 5 of Verdi Township just north of the Project site. The voltage will be stepped up from the 34.5 kV collection system to the transmission system level of 115 kV at the substation and then sent over the existing 115 kV lines to the White and Brookings Substations.

14. Each tower will be secured by a concrete foundation, approximately 40 to 60 square feet to a depth of up to 12 feet, although size may vary somewhat depending on the soil conditions.

15. A control panel that houses communication and electronic circuitry is placed in each tower. In addition, a step-up, pad-mounted transformer is necessary for each turbine to collect the power from the turbine and transfer it to a 34.5 kV collection system via underground cables.

16. All turbines and meteorological tower systems will be interconnected with fiber optic communication cables that will be installed underground. The communication cables will run back to a central host computer which will be at the operations and maintenance

facility where a supervisory control and data acquisition (SCADA) system will be located. Signals from the current and potential transformers at each of the delivery points will also be fed to the central SCADA host computer. The SCADA system will be able to give status indications of the individual wind turbines and the substation and allow for remote control of the wind turbines locally or from a remote computer. This computerized SCADA network will provide detailed operating and performance information for each wind turbine. The Permittee will maintain a computer program and database for tracking each wind turbine's maintenance history and energy production.

Wind Resource Considerations

17. The Community Wind North, LLC Project will be located in Lincoln County. The elevation at the project site varies between 1700 and 2000 feet above sea level. WindLogics modeled wind resources in the project area. That modeling showed wind speeds at an elevation of 262 feet (80 meters) to be 18.84 to 20.65 miles per hour, with an average annual wind speed of 18.84 miles per hour.

18. The wind turbines are sited so as to have good exposure to winds from all directions, with emphasis on exposure to the prevailing southern and northwesterly winds. The turbine spacing, according to the site permit application, maximizes use of the available wind and minimizes wake and array losses within the topographical context of the site. Turbines are spaced to minimize wake losses when the winds are blowing parallel to the turbine rows; the layout incorporates a minimum spacing of 3 RD in the non-prevailing wind directions and a minimum of 5 RD spacing in the prevailing wind directions. See site permit at III.E.5.

19. The Applicant anticipates an annual net energy production of approximately 109,686 to 111,879 megawatt hours, assuming a net capacity factor of between 37 to 43 percent.

20. The Project Site is located in an area that is actively farmed, and the applicant anticipates that all turbines will be located in agricultural fields. The dominant crops at the Project site are corn and soybeans.

21. The Project site as proposed includes approximately 2,660 acres in Sections 5, 7, 8, 9, 16, 17, 19, 20, and 21 of Verdi Township in Lincoln County (Township 109 North, Range 46 West). The proposed wind turbine site layout in the site permit application shows where the proposed facilities, such as towers, roads and the underground electrical lines, could be located. These locations are subject to change. CWN estimates that the proposed facilities will result in the permanent disturbance of approximately 12 acres of land, primarily for roads and towers. A total of approximately 30 to 40 acres of land will be temporarily disturbed during construction of the wind farm for contractor staging areas, foundation and road construction, underground power lines, and tower and turbine assembly. Permanent access roads are expected to be approximately 16 feet wide, temporary roads may be up to 30 feet in width.

Land Rights and Easement Agreements

22. In order to build a wind plant, a developer needs to secure site leases and easement option agreements to ensure access to the site for construction and operation of a proposed project, as well as areas sufficient to address required setbacks and turbine spacing. These lease or easement agreements also prohibit landowners from engaging in any activities that might interfere with the execution of the proposed project.

23. The Applicant has obtained lease and easement option agreements and/or rights to such agreements with affected landowners for land within the Project site boundary necessary for installation of the components of the wind farm. These rights and easements will be able to support the Project.

Written Comments and Letters Received by April 8, 2009

24. By the close of the comment period on April 8, 2009, the PUC had received four comment letters on the proposed Community Wind North, LLC Project.

25. On March 12, 2009 the Southwest Regional Development Commission (SRDC) reviewed the terms and conditions of the draft site permit. Their report highlighted that their "Review of the draft Site Permit covers all the required elements." **(Exhibit 9).**

26. On April 8, 2009, the Minnesota Department of Natural Resources (DNR) submitted comments on the proposed project **(Exhibit 10)**. DNR requested that "Any mortality events that exceed five or more individuals, or mortality to any state listed bird or bat species should be reported to the DNR within 24 hours of discovery. DNR suggested who should be contacted and that the report should include the project name and location, tower location (latitude and longitude), number of each species collected, date of collection, weather prior to the event, and any other pertinent details. DNR's comments are addressed at Findings 57, 58, 59, and in Permit Condition III.B.8 (b), III.B.9, III.B.12, III.C.5 and III.J.3.

27. On March 16, 2009, J. David Fryechte, a landowner within the site suggested that turbine number 8, be moved a little further north to eliminate fence crossings and a natural waterway crossing, which would provide for a shorter access road and provide a better wind resource. **(Exhibit 8)**.

28. On April 8, 2009, Kevin Walli, on behalf of Community Wind North, LLC, indicated that they are encountering turbine supply issues and may want to substitute another turbine, which if used would reduce the number of turbines from 15 to 12, but still produce 30 Megawatts of power **(Exhibit 11)**.

Site Criteria

29. Minnesota Rules Chapter 7836 apply to the siting of LWECS. The rules require applicants to provide a substantial amount of information to allow the PUC to determine the potential environmental and human impacts of the proposed Project and whether the

Project is compatible with environmental preservation, sustainable development, and the efficient use of resources. The following analysis addresses the relevant criteria that are to be applied to a LWECS project.

Human Settlement, Public Health and Safety

30. The site is located in an agricultural area, with generally low population density. The project area is zoned as agricultural in Lincoln County. The site permit conditions (III. C.2 and 3) specify conditions for setbacks from residences and roads. The proposed wind turbine layout exceeds those requirements, minimizing the impact of the proposed LWECS on human settlement, public health and safety. The proposed Project is not expected to affect any water wells (used, unused or unsealed) or any rural water system that services the area.

31. There will be no displacement of existing residences or structures in siting the wind turbines and associated facilities.

32. The Project will comply with the Federal Aviation Administration (FAA) requirements with respect to lighting. See site permit conditions III.E.2 and 4.

33. CWN will provide security during construction and operation of the Project, including any appropriate fencing, warning signs, and locks on equipment and facilities. The Applicant will also provide landowners and interested persons with safety information about the Project and its facilities. See site permit condition III.B.15.

34. In winter months ice may accumulate on the wind turbine blades when the turbines are stopped or operating very slowly. Furthermore, the anemometer may ice up at the same time, causing the turbine to shut down during any icing event. As weather conditions change, any ice will normally drop off the blades in relatively small pieces before the turbines resume operation. This is due to flexing of the blades and the blades' smooth surface. Although turbine icing is an infrequent event, it remains important that the turbines are not sited in areas where regular human activity is expected below the turbines or in the immediate proximity during the winter months. There is no regular human activity expected near the turbines during winter months.

35. Each turbine will be clearly labeled to identify each unit and a map of the site with the labeling system will be provided to local authorities as part of the fire protection plan. The Permittee will also file turbine locations with appropriate local 911 services. See permit conditions III.B.15, 16 and 17.

Noise

36. Wind turbines generate noise. The Permittee is required to meet the Minnesota Noise Standards applicable to residential receivers. The Minnesota Noise Standards are enforced by the MPCA and are found in Minnesota Rule 7030.0040. See site permit condition III.E.3.

37. The site permit requires that wind turbine generators are sited at least 500 feet from occupied dwellings and at a sufficient distance from residential receivers to ensure the Project meets the requirements of the Noise Standards in Minnesota Rules Chapter 7030. See site permit condition III.C.2.

38. Final wind turbine placement will take into account the locations of residential receivers during the micrositing process to ensure compliance with Minnesota Noise Standards. At the request of the PUC, CWN shall provide the PUC with results of noise modeling for the final wind turbine layout. See site permit conditions III.E.3 and III.F.2.

Visual Values

39. The visual impacts resulting from wind projects are highly subjective; some people find them to be an attractive addition to the visual landscape, others do not. There are several other wind projects in the vicinity of the CWN Project and people living in the area have become accustomed to them since 1995.

40. The placement of up to 15 wind turbines for the Project will affect the appearance of the project area. The turbine towers and rotor blades will be prominent features on the landscape. The turbines will be visible from many of the rural residences within and near the project area. The project will also be visible to passing motorists on local, county and state highways.

41. Several mitigation measures will be taken to minimize visual impact. All site permits issued by the PUC require the use of tubular towers; therefore, the turbine towers will be uniform in appearance. The use of underground electrical collectors and feeders will reduce the Project's visual impact.

42. Turbines will be illuminated to comply with Federal Aviation Administration (FAA) requirements.

Recreational Resources

43. Recreational opportunities in the area include hunting, snowmobiling and wildlife viewing. Hunting is permitted in designated state Minnesota Department of Natural Resources Wildlife Management Areas (WMAs), unless otherwise posted. The nearest recreational resource is the Hole in the Mountain County Park located in Lake Benton, which is approximately four miles east of the site.

44. There are no state or national forests or Scientific and Natural Areas (SNAs) within four miles of the proposed project.

45. Recreational activities will not be significantly impacted by the Project. Turbines will not be located in WMAs or in any local parks. Turbine operations are not expected to affect the natural areas in any material way and no adverse impact on wildlife management areas or practices is expected.

Infrastructure

46. The Project is expected to have a minimal effect on the existing infrastructure. The proposed Project will use underground cables for the collector lines. Placement of collector and feeder lines is addressed in the site permit at III.E.7 and 8.

47. The Project will require the use of public roads to deliver construction supplies and materials to the work site. Site permit condition III.B.8 (a) addresses this topic. Construction of the Project requires the construction of approximately four miles of access roads that will be located at the project site. The permanent access roads will be approximately 16 feet in width and covered with class 5 gravel, or a similar material. The site permit at III.B. 8 (b) addresses this topic. The access roads will be used to deliver construction supplies and materials to each turbine site. During operation and maintenance of the wind plant, operation and maintenance crews will use access roads to inspect and service wind turbines. Periodic grading or other methods will be used as necessary to maintain road integrity. The Permittee may do this work or contract it out.

48. If access roads must be installed across streams or drainage ways, the Permittee in consultation with the Minnesota Department of Natural Resources will design, shape and locate the road so as not to alter the original water flow or drainage patterns. Any work required below the ordinary high water line, such as road crossings or culvert installation, will require a permit from the Minnesota Department of Natural Resources. This is addressed in permit condition III.B.8 (b).

49. The Project will not affect water supplies, railroads, telecommunication facilities, and radio reception. The presence or operation of the wind plant could potentially impact the quality of television reception in the area. Previous work on television reception issues indicates that in some cases new antennas or relocation of existing antennas can restore television signal strength reception. CWN will address the concerns of residents in the area of the project site before and after the Project construction to document and mitigate any television reception impacts that might occur. This is addressed in the site permit at III.D.3.

50. Construction, operation, and maintenance of the proposed wind plant will comply with all federal and state permit requirements. This is addressed in permit condition III.K.7.

Community Benefits

51. The Project will provide local tax revenues from a production tax on the wind turbines. No significant adverse impact on public services is expected. Wear and tear on roads will occur as a result of the transport of heavy equipment and other materials. The site permit addresses road damages at III.B.8. (a) and (b). Landowners will also receive easement payments from the Permittee.

52. To the extent that local workers and local contractors are capable, qualified, and available, CWN will seek to hire them to construct the proposed Project. The hiring of local people will expand employment opportunities in this area of the state and keep money in the local economy.

Effects on Land-Based Economies

53. The proposed Project does not affect any forestry or mineral extraction operations. The proposed Project is located in an agricultural area and will temporarily remove approximately 30 to 40 acres from agricultural production, and result in the permanent removal of approximately 12 acres from agricultural production. Mitigation measures for agricultural land are addressed in the site permit at III.B.2, 3, 4, 5, 6, 7, 8.(b) and (c), 9, and 12.

Archaeological and Historical Resources

54. A records review of the Minnesota Archaeological Inventory and Historic Structures Inventory did not locate any historic structures, historic sites, National Register of Historic Places (NRHP) properties or archaeological sites within the project site. The Applicant has filed an Archaeological Consultant Report and Unanticipated Discovery Plan **(Exhibit 12)**.

55. The site permit at III.D.2 requires that construction workers be trained about the need to avoid cultural properties, identification of cultural properties, and procedures to follow if undocumented cultural properties are found during construction. If any archaeological sites, including gravesites, are found during the Phase I survey, their integrity and significance should be addressed in terms of the site's potential eligibility for placement on the NRHP. If such sites are found to be eligible for the NRHP, appropriate mitigative measures will need to be developed in consultation with the Minnesota State Historic Preservation Officer, the State Archaeologist, and consulting American Indian communities. The site permit also requires the Permittee to stop work and notify the Minnesota Historical Society and PUC if any unrecorded cultural resources are found during construction.

Air and Water Emissions

56. No harmful air or water emissions are expected from the construction and operation of the LWECS.

Animals and Wildlife

57. A review of the Minnesota Natural Heritage Database maintained by the DNR shows no known occurrences of rare species or native plant communities in the project area.

58. Based upon the review of the Minnesota Natural Heritage Database, and the comments provided by the DNR that are included in the site permit application as Appendix F **(Exhibit 1)**, the location of the project in a cultivated agricultural area, and previously permitted LWECS projects, neither construction nor operation of the proposed project is expected to significantly impact wildlife.

59. Mitigation measures are also prescribed in the site permit and include but are not limited to: a) a pre-construction inventory of existing biological resources, native prairie, state listed and threatened species and wetlands in the project area will be prepared; b) turbines and associated facilities will not be constructed in wildlife management areas, recreation and state and scientific natural areas; c) landowner approval will be negotiated prior to any removal of trees during construction; d) sound water and soil conservation practices will be implemented during construction and operation of the Project to protect topsoil and adjacent resources and to minimize soil erosion. This also applies to any work in proximity to watercourses.

Vegetation

60. Landowner approval will be negotiated prior to any removal of trees during construction. Removal of groves of trees or shelterbelts will be minimized. Disturbance of native prairie will be avoided. If native prairie cannot be avoided, the Permit at III.C.6 provides for preparation of a prairie protection and management plan.

Soils

61. Construction of the wind turbines and access roads increases the potential for erosion during construction and converts approximately 12 acres prime farmland to industrial use. The site permit at III.B.9 requires a soil erosion and sediment control plan. The Project will also require a NPDES/SDS Permit from the MPCA.

Surface Water and Wetlands

62. No turbines, towers or associated facilities shall be placed in public waters wetlands, as defined in Minnesota Statutes 103G.005, subp. 15a. Access roads may be constructed across public waters and electric collector or feeder lines may cross or be placed in public waters or public waters wetlands subject to DNR, United States Fish and Wildlife Service (FWS) and/or United States Army Corps of Engineers (USACE) permits and approvals. See permit conditions III.B.8(b) and III.C.5

Future Development and Expansion

63. While large-scale projects have occurred elsewhere (California, Texas, New York and Iowa), little systematic study of the cumulative impact has occurred. Research on the total impact of many different projects in one area has not occurred. DOC EFP staff continues to monitor for cumulative impacts and issues related to wind energy development.

64. The PUC anticipates more site permit applications under Minnesota Statutes 216F.04 (a). The PUC is responsible for siting of LWECS "in an orderly manner compatible with environmental preservation, sustainable development, and the efficient use of resources." Minnesota Statutes 216F.03.

65. Minnesota Statutes 216E.03, subd. 7, requires consideration of design options that might minimize adverse environmental impacts. By using larger turbines, fewer turbines are required, reducing siting needs for turbines and related facilities. Turbines must also be designed to minimize noise and aesthetic impacts. Buffers between strings of turbines are designed to protect the turbines' production potential. The site permit also provides for buffers between adjacent wind generation projects to protect production potential. See site permit at III.C.1.

66. The location and spacing of the turbines are critical to the issues of orderly development and the efficient use of wind resources. Turbines are likely to be located in the best winds, and the spacing dictates, among other factors, how much land area the project occupies. There is strong public support for orderly development of wind energy in Minnesota.

67. One efficiency issue is the loss of wind in the wake of turbines. When wind is converted to rotational energy by the blades of a wind turbine, energy is extracted from the wind. Consequently, the wind flow behind the turbine is not as fast and is more turbulent than the free-flowing wind. This condition persists for some distance behind the turbine as normal wind flow is gradually restored. If a turbine is spaced too close downwind of another, it produces less energy and is less cost-effective. This is the wake loss effect. If the spacing is too far, wind resources are wasted and the projects' footprint on the land is unnecessarily large.

68. For this Project, turbine spacing maximizes use of the available wind resources and minimizes wake and array losses within the topographical context of the site. Site topography and wind resources did not lead to a layout involving long strips of turbines running parallel to each other and perpendicular to the prevailing wind. Instead, the site uses shorter strings. The objective was to capture the most net energy possible from the best available wind resource. CWN arrived at an average turbine spacing of approximately 3 RD in the non-prevailing wind directions and 5 RD in the prevailing wind directions in their preliminary layout. Given the prevalence of southerly and northwesterly winds at this site, the spacing between turbines is greatest in the north-south direction for the proposed project.

Maintenance

69. Maintenance of the turbines will be on a scheduled, rotating basis. Additional unscheduled maintenance will be conducted on an as-needed basis. Maintenance on the interconnection points will be coordinated with Xcel Energy. CWN will contract with the turbine manufacturer to provide service and maintenance for the project at least through the warranty period. Upon the expiration of the warranty period, CWN may perform maintenance in-house, or may contract for service and maintenance.

Decommissioning and Restoration

70. Decommissioning and site restoration activities will include (1) removal of all turbines and towers; (2) removal of all pad mounted transformers; (3) removal of all above-ground distribution facilities; (4) removal of foundations to a depth of four feet below grade, unless otherwise agreed to by the landowner; and (5) removal of surface road material and restoration of the roads and turbine sites to previous conditions to the extent feasible, consistent with the landowner's desires. See site permit at III.G.2.

71. CWN will be responsible for all costs to decommission the Project and associated facilities and will begin decommissioning the facility within 8 months from the time the facility ceases to operate. Decommissioning will be completed within 18 months from the time the facility ceases to operate. See site permit at III.G.1 and 2.

72. CWN estimates the net decommissioning cost (estimated cost of dismantling and removal less the salvage value) for the Community Wind North, LLC Project at approximately $75,000 per turbine in current dollars.

73. The Permit requires CWN to submit a Decommissioning Plan to the PUC that describes how the Permittee will ensure that the resources are available to pay for decommissioning the project at the appropriate time. See site permit at III.G.1. CWN proposes to establish a separate Decommissioning Fund Balance as a regular expense item within the Community Wind North, LLC Project in the beginning in the 16th year of operation. An annual "set aside" of $5,000 per turbine is scheduled for each year of operation. This will provide a fund in the amount of at least $750,000 (plus earned interest) to pay for decommissioning and site restoration costs after operations cease. (**Exhibit 1**)

Site Permit Conditions

74. All of the conditions contained in the site permit were established as part of the site permit proceedings of other wind turbine projects permitted by the Environmental Quality Board and the Public Utilities Commission. Comments received concerning the requirements and conditions in the draft site permit distributed for comment in March 2009 have been evaluated and addressed as appropriate. Minor changes that provide for clarifications of the draft site permit conditions have been made.

75. The site permit contains conditions that apply to site preparation, construction, cleanup, restoration, operation, maintenance, abandonment, decommissioning and all other aspects of the Project.

Based on the foregoing findings, the Minnesota Public Utilities Commission makes the following:

CONCLUSIONS OF LAW

1. Any of the foregoing findings, which more properly should be designated as conclusions, are hereby adopted as such.

2. The Minnesota Public Utilities Commission has jurisdiction under Minnesota Statutes section 216F.04 over the site permit applied for by Community Wind North, LLC.

3. The Community Wind North, LLC Project, application for a site permit was properly filed and noticed as required by Minnesota Statutes 216F.04 and Minnesota Rules 7836.0600 subp. 2 and 7836.0900 subp. 2.

4. The Minnesota Public Utilities Commission has afforded all interested persons an opportunity to participate in the development of the site permit and has complied with all applicable procedural requirements of Minnesota Statutes Chapter 216F and Minnesota Rules Chapter 7836.

5. The Minnesota Public Utilities Commission has jurisdiction under Minnesota Statutes 216F.04 over the site permit applied for by Community Wind North, LLC.

6. The proposed Community Wind North, LLC Project a 30.0-megawatt LWECS project will not create significant human or environmental impacts and is compatible with environmental preservation, sustainable development, and the efficient use of resources.

7. The Minnesota Public Utilities Commission has the authority under Minnesota Statute 216F.04 to establish conditions in site permits relating to site layout and construction and operation and maintenance of an LWECS. The conditions contained in the site permit issued to Community Wind North, LLC, are appropriate and necessary and within the Minnesota Public Utilities Commission's authority.

Based on the foregoing Findings of Fact and Conclusions of Law, the Minnesota Public Utilities Commission issues the following:

ORDER

The Attached Site Permit is hereby issued to Community Wind North, LLC, for up to a 30.0-MW Large Wind Energy Conversion System in Lincoln County in Minnesota. The site permit issued by the PUC authorizes Community Wind North, LLC, to construct and operate the proposed Large Wind Energy Conversion System in accordance with the conditions contained in the site permit and in compliance with the requirements of Minnesota Statutes 216F.04 and Minnesota Rules Chapter 7836.

BY ORDER OF THE COMMISSION

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Burl W. Haar,
Executive Secretary